

R Great Brit Geo II

Bill. 1 Geo. II. dropped in the
Act passed 2 Geo. II. 515. L. 15
60

[I]

A N

A C T

For the more effectual preventing Abuses in the making of BRICKS and TILES, and for altering the Size of BRICKS made for Sale.



WHEREAS the Provisions made by an Act of Parliament passed in the twelfth Year of the Reign of his late Majesty King **GEORGE** the First (intituled, *An Act to prevent Abuses in the making of Bricks and Tiles, and to ascertain the Dimensions thereof, and to prevent all unlawful Combinations amongst any Brickmakers or Tilemakers within fifteen Miles of the City of London, in order to advance or inbance the Price of Bricks or Tiles*) have been found ineffectual, and it is therefore requisite to provide further Remedy in the Premises.

May it therefore please your Majesty, That it may be enacted and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same; That all and every the Powers and Authorities by the said Act vested in, or given to the Master and Wardens of the Company or Corporation of Tilers and Bricklayers of the City of London, shall from, and after the 24th Day of June, 1728. be, and the same are hereby transferr'd to and vested in the Master, Wardens, and Assistants of the said Company or Corporation for the time being, or the major Part of them assembled, the whole being duly summoned, who are hereby empower'd to execute the same as fully and effectually to all Intents and Purposes as the said Master and Wardens might otherwise have done.

And for providing farther Remedy in the Premises, and making the said Act more effectual, be it enacted by the Authority aforesaid, That it shall, and may be lawful to and for any three or more Persons (not being of the said Company or Brickmakers) who shall be appointed Searchers for such Purpose by the Justices of the Peace, or the major Part of them assembled at their respective general, or quarter Sessions to be held for the said City of London, and each County or Place respectively lying wholly or partly within the Compass of fifteen Miles thereof (who are hereby authorized and required to appoint such Searchers from Time to Time accordingly) to enter and go in the Day time, into and upon any Grounds, Sheds, and

and Places where any Clay or Earth shall be digged, or digging for Bricks, or any Bricks shall be made or making for Sale, or exposed to Sale, within the said City or Compass, and the County or Place for which such Sessions shall be respectively held, and there to View, search, and inspect the same; and that all and every Person and Persons who shall within the said City or Compass, wittingly and willingly make or cause to be made, or be concerned or interested (as or in the Nature of a Master Brickmaker or Master Brick-makers) in making any Bricks for Sale contrary to the true Intent and Meaning of this Act and the said former Act, or either of them, or in vending or selling any Bricks so made, or to be made, shall forfeit and pay twenty Shillings for every thousand thereof.

And be it enacted by the Authority aforesaid, That all bad Bricks made for Sale shall be broke to Pieces and destroyed by the Brick-makers, who shall by virtue hereof be convicted of making the same within one Month after such Conviction, and in Default thereof, (and upon Oath made of such Default by three or more of the said Searchers before two or more of his Majesty's Justices of the Peace for the County or Division where the same were so made (which Oath such Justices are hereby empower'd and requir'd to administer) and also upon Certificate made by such Justices of such Oath) the same bad Bricks shall and may be broke and destroyed by any three or more of the said Searchers, and such Labourers and others as they shall order and employ to help and assist them in breaking and destroying the same, which Searchers shall and may for their Pains, Trouble and Charges therein, have and recover of such Brickmakers respectively one Shilling for every thousand of the Bricks by them or their Order so broke and destroyed.

And be it enacted by the Authority aforesaid, That no *Spanish* shall from and after the 29th Day of *September* 1728. be used or mixed by any Person or Persons whatsoever within the City of *London* or fifteen Miles thereof, in or with any Earth for making Bricks: And that all and every such Person and Persons, who shall from, and after the said 29th Day of *September* 1728. make or cause to be made any Bricks of or with any Earth mix'd with *Spanish*, or vend or sell any Bricks so made, shall forfeit and pay 20s. for every Thousand thereof to be recovered in like manner, and to the Uses as other Penalties and Forfeitures in this Act are directed to be recovered and applied.

And Whereas the Dimensions of Bricks prescribed by the said former Act have been found inconvenient: Therefore be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to make and burn any Bricks for Sale, which when burnt, shall be eight Inches and three Quarters long, four Inches and one eighth broad, and two Inches and a half thick, and not less, any thing in the said former Act notwithstanding; and that neither the said Dimensions nor the Dimensions by the said former

former Act prescribed shall extend to molding Bricks, paving Bricks, or any other Bricks which usually have been made, and of Necessity must be of other Shapes or Dimensions for the Use they shall be made for.

Provided always, and be it enacted by the Authority aforesaid, That when any Ground or Earth shall be dug for making of Bricks, that the Owners or Proprietors thereof shall, and they are hereby obliged and required to uncallow and take off all the Soil, Mould or other Compost lying upon the said Earth, until they come to the real Brick Earth: And that none of the said Compost, Mould or Soil, or any Mud or Dirt of any kind or nature shall be mix'd with the real Brick Earth under any Pretence whatsoever; and that in case any such Mixture shall be made, or that any of the said Compost, Mould, Soil, Mud, or Dirt, shall be used in the said Brick Earth, the same shall, and is hereby deemed, and shall be deemed, and taken to be the using of *Spanish*, and shall be liable and subject to the same Penalties and Forfeitures as is or shall be forfeited for mixing *Spanish* in making of Bricks, and to be levied and recovered by the same Ways, Means, and Methods as other Forfeitures and Penalties are levied and recovered by this Act for making bad Bricks.

And be it enacted by the Authority aforesaid, That all and every the said Penalties and Forfeitures shall be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Priviledge, or Wager of Law shall be allowed, or more than one Imparlance; and one Moiety thereof shall go and be applied to the Use of the Poor of the Parish where the Offence shall be committed, and the other Moiety thereof to the Use of the Person or Persons who shall sue for and recover the same; and that any of the said Searchers not being a Party or Parties in or to such Action, Bill, Plaint, or Information, shall and may be admitted as an Evidence or Evidences therein.

Provided always that no Penalty inflicted by this Act or the said former Act shall be levied or recovered, but by Virtue of some Prosecution or Action commenced within twelve Months next after the Offence, and carried on with Effect and without wilful Delay; And that no Person or Persons shall be convicted twice, and pay two Penalties for one and the same Offence.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a publick Act, and all Judges, Justices, and others, shall take Notice thereof as such; and if any Action or Suit shall be commenced against any Person or Persons for any Act, Matter, or Thing done in pursuance hereof, he or they shall and may plead the general Issue, and give this Act and the special Matter in Evidence, and recover Costs in case a Verdict shall pass for him or them, or the Plaintiff or Plaintiffs shall become Nonsuit in or discontinue such Action or Suit.

AN

A C T

For the more effectual
preventing Abuses in
the making of Bricks
and Tiles, and for
altering the Size of
Bricks made for
Sale.

That all and every
Person or Persons who shall
make or cause to be made
any Bricks or Tiles for
Sale, shall conform to the
following Regulations, to
wit: That the Bricks shall
be made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;
That the Tiles shall be
made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;
That the Bricks shall be
made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;
That the Tiles shall be
made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;
That the Bricks shall be
made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;
That the Tiles shall be
made of the best
Materials, and shall be
made in such a manner
as to be fit for the
Use of the House, and
not for any other Use;